HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.2851 of 2004

Dated 19th day of September, 2007

Between:

M/s.Maneklal Textile Mills,
rep. by its proprietor,
Mr.Gopal Agarwal, Hyderabad ..
Petitioner

And

The Chairman and Managing Director,
A.P. Transco, rep. by its Member Secretary,
Vidyut Soudha, Khairathbad, Hyderabad
and two others .. Respondents

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O R D E R:

This writ petition is filed seeking a direction to the respondents to connect new electrical meters to 4 Nos. of power looms each, categorizing it under Category No.IV as per G.O.Rt.No.298, dated 24.4.2003.

The case of the petitioner-Maneklal Textile Mills is that it owns a small-scale textile unit of power-looms, in a rented premises, situated at I.D.A., Nacharam, Ranga Reddy District and has been operating this unit since 1983. Recently, the Government of Andhra Pradesh gave power tariff relief to small power loom units from Rs.1.74 per unit to Rs.0.87 per unit. Then, the petitioner made an application to A.P. TRANSCO for bifurcation of single meter into nine meters at the rate of 5 H.P. each so as to enable it to avail the concessional rates of power tariff. Now, its grievance is that the A.P. TRANSCO rejected its application in view of the Field Engineer's report wherein it is mentioned that splitting of single meter into multiple number of services is not possible as per the terms and conditions of supply, and the tariff order is not correct and the terms and conditions are not applicable to it as there are nine different services in the same compound being run independently for several years.

The 3rd respondent has filed counter affidavit *inter alia* denying the affidavit averments and stated that G.O.Rt.No.298 dated 24.4.2003 was issued to provide relief to power loom units if contracted demand is not more than 5 H.P., whereas in the instant case, the contracted demand of the petitioner's unit is 45 H.P and the supply was released

in the year 1983.

Heard the learned counsel for both the parties and perused the material placed on record.

It is clear from the revised terms and conditions of the supply i.e. Condition No.27.3 and B.P.Ms.No.690, dated 17.9.1975 that two or more services cannot be provided in the same premises for the very same purpose to a single owner. Further, as per G.O.Ms.No.518, dated 12.10.2001, the persons, whose contracted demand of supply for their power looms is not more than 5 H.P., alone are eligible for relief of power concession. When the petitioner's case is looked into, it is evident that the petitioner is having Service Connection No.1250 at I.D.A., Nacharam and the contracted demand of supply is 45 H.P. Therefore, this Court is of the view that the petitioner is not entitled to the concessional rates of power tariff as sought for.

Hence, I see no merits in this writ petition and the same is accordingly dismissed. However, the learned counsel for the petitioner has brought to the notice of this Court that the relief was provided in the case of some other industrial units. Hence, the petitioner is hereby directed to give an application to the respondents, within a period of four weeks from today, requesting them to provide the said relief, and on receipt of such application, the respondents may consider it and pass appropriate orders if it is feasible. No costs.

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19.09.2007

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